IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH: NAGPUR
MISC. CIVIL APPLICATION NO. 728 OF 2006 IN
WRIT PETITION NO.1640 OF 1998

Sadanand Bhagwan Gaikwad
versus
State of Maharashtra and others

Mr. V. R. Choudhari, Advocate for the applicant.
Mrs. Wandile, A. G. P. for respondents 1 & 2.

CORAM : D.D. SINHA ND S.R DONGAONKAR, JJ.
DATE : 7.9.2006.

Heard counsel for the parties.

Learned counsel for the applicant states that the respondent no.3 is also served with the notice of the M. C. A. No. 728 of 2006 for restoration of the petition.

Considered the contentions canvassed by the respondent's counsel, perused the application, same is allowed subject to payment of cost of Rs.750/- to be deposited with High Court Legal Aid Sub Committee within a period of 10 days from today. On submission of acknowledgment thereof, the order dated 3.7.2006 shall stand revoked and Writ Petition No.1640/1998 shall stand restored to the file of this court.

Learned counsel for the petitioner states that when the matter was dismissed for want of prosecution, interim order was operating. In the circumstances, interim order also stands restored, if it was in existence at the time of dismissal of the petition in default.

JUDGE JUDGE

smp.